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Representing the United States

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARANTZAZU ATORRASAGASTI

Defendant.

Case No. 2:17-CR-00089-APG-VCF

**Stipulation To Continue Sentencing
Hearing**
(11th Request)

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, and ARANTAZAZU ATORRASAGASTI, defendant, by and through her counsel Dustin R. Marcello, Esq, that the Sentencing Hearing currently scheduled for October 13, 2020 at 9:30 a.m. be vacated and continued to not less than 90 days or to a time convenient with the Court.

This Stipulation is entered into for the following reasons:

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**[Proposed] Order on Stipulation To
Continue Sentencing Hearing**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore,
the Court finds:

This Stipulation is entered into for the following reasons:

1. Defense counsel has fallen ill and is out on medical leave for an indeterminate
time.

2. The parties agree to the continuance.

1 3. Defendant is not in custody and is out on bond through Pretrial Release. She has
2 no objection to the continuance.

3 4. Defendant is still under supervision and has been compliant with Pretrial
4 Services.
5

6 5. Due to COVID-19 travel has been restricted.

7 6. Additionally, denial of this request for continuance would result in a miscarriage
8 of justice, given the defendant's need for continuity of counsel.

9 7. This is the 11th request to continue the sentencing.
10


11 **CONCLUSIONS OF LAW**

12 The end of justice served by granting said continuance outweigh the best interest of
13 the public and the defendants since the failure to grant said continuance would likely result
14 in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity
15 within which to be able to effectively and thoroughly prepare for sentencing taking into
16 account the exercise of due diligence, and would negatively impact the defendant's right to
17 continuity of counsel.
18

19 **ORDER**

20 **IT IS ORDERED** that Sentencing currently scheduled for October 13, 2020, at 9:30
21 a.m. be continued to 19th day of January, 2021 at 1:00 p.m. in LV courtroom 6C.
22

23 DATED this 12th of October 2020.

24
25 
26 _____
27 HONORABLE ANDREW P. GORDON
28 UNITED STATES DISTRICT COURT JUDGE